

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

HERBERT GORD, ET AL.

Docket: ZOU-10

Serial Number: 10/679,953

Group Art Unit: 1772

Filed: October 6, 2003

Examiner: Marc A. Patterson

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PRODUCING A SEAMLESS TUBULAR FILM**FAX COVER SHEET**TO: Commissioner for Patents
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For: SEAMLESS TUBULAR FILM, PROCESS AND APPARATUS FOR
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OCT 31 2005**RESPONSE TO RESTRICTION REQUIREMENT**Commissioner For Patents
P.O.Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed October 5, 2005 applicant makes the following election in response to the restriction requirement.

REMARKS

The Examiner has subjected this application to restriction under 35 U.S.C. 121. The Examiner has formed three groups of claims: Group I for claims 1-14 for a tubular film; Group II for claims 15-24 for a process,; and Group III for claims 25-35 for an apparatus. The Examiner has asserted that these groups of claims represent distinct inventions and may properly be restricted. Applicants hereby provisionally elect claim Group I directed to claims 1-14 for examination. However, the restriction requirement is traversed. It should be noted, that the Commissioner may statutorily require the election of inventions "If two or more independent and distinct inventions are claimed in one application." In the instant case the Examiner is alleging that the inventions of groups one and two are distinct, although absolutely no showing of such distinctness has been made.